

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RONALD E. BOUCHER and  
BRADLEY GELLER,

Plaintiffs,  
v.  
Case Number 17-13233  
Honorable David M. Lawson  
Magistrate Judge David R. Grand

STATE OF MICHIGAN, MICHIGAN  
PROBATE COURTS, PUBLIC  
ADMINISTRATORS, ST. CLAIR COUNTY,  
WASHTENAW COUNTY, and ALL  
COUNTIES,

Defendants,  
and

UNITED STATES OF AMERICA,

Interested party.

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION  
AND DISMISSING CASE**

Presently before the Court is the report issued on April 26, 2019 by Magistrate Judge David R. Grand pursuant to 28 U.S.C. § 636(b), recommending that the Court grant the several motions to dismiss filed in this case and dismiss any remaining claims *sua sponte* for lack of subject matter jurisdiction. Although the magistrate judge's report stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation (ECF No. 66) is **ADOPTED**.

It is further **ORDERED** that the defendants' motions to dismiss (ECF No. 53, 54, 55, and 56) are **GRANTED** and that any remaining claims are **DISMISSED** for lack of subject matter jurisdiction.

It is further **ORDERED** that the amended complaint is **DISMISSED WITH PREJUDICE**.

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Date: May 16, 2019

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on May 16, 2019.

s/Susan K. Pinkowski  
SUSAN K. PINKOWSKI